

U.S. Army Corps
of Engineers
Pittsburgh District

Public Notice

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. 200400489

Date: June 17, 2004

Notice No. 04-29

Closing Date: July 7, 2004

1. TO ALL WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. APPLICANT: Strauss Industries
Thirty-Fifth & McColloch Streets
Wheeling, WV 26003

AGENT: River Salvage, Inc.
1290 Maple Street
Crescent, PA 15046

3. LOCATION: Ohio River, right bank, Mile 68.5, in Steubenville, Jefferson County, Ohio.

4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to construct a barge dock to be used as a level working surface capable of receiving or shipping any material transported on the waterway. The dock would be built on Wheeling Pittsburgh Steel Corporation property and operated by Strauss Industries for a period of time before becoming the property of Wheeling Pittsburgh Steel Corporation. The project would consist of excavating a notch approximately 185 feet long and 28 feet wide to a depth of 10 feet below normal pool elevation 644.0. A standard hopper barge would then be placed in the excavated area and backfilled with approximately 1,283 cubic yards of the excavated slag. The top barge would then be placed and backfilled with 1,283 cubic yards of slag. Approximately 133 cubic yards of additional slag would be required upstream, downstream, and behind the barges. The entire riverbank is slag and since the slag was in place prior to the Corps raising the pool 10.5 feet in the 1960's, it is expected all the excavation will be slag. Drawings of the proposed project are attached to this notice.

5. WATER QUALITY CERTIFICATION: A Permit will not be granted until Water Quality Certification is received or waived from:

Ohio Environmental Protection Agency (Ohio EPA)
Section 401 Coordinator
P.O. Box 1049
Columbus, Ohio 43266-0149

Telephone Number: 614-644-2001

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This Public Notice serves as a request to the U. S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).

7. IMPACT ON CULTURAL RESOURCES: The National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed on the register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

8. PUBLIC INVOLVEMENT: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

9. EVALUATION: Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in

the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

10. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination. Any objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. All responses to this notice should be directed to the Regulatory Branch, attn Linda Malsch, at the above address, by telephoning (412) 395-7157, or by e-mail at linda.m.malsch@usace.army.mil. Please refer to CELRP-OR-F 200400489 in all responses.

FOR THE DISTRICT ENGINEER:

Scott A. Hans
Acting Chief, Regulatory Branch

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

4862 INW
KNOXVILLE

80° 37' 30" 532000m.E. R. 1 W. WEIRTON, W.V. 3.8 MI. WEIRTON (CITY HALL) 3.4 MI. 534 1 210 000 FEET (P.A.) 35'

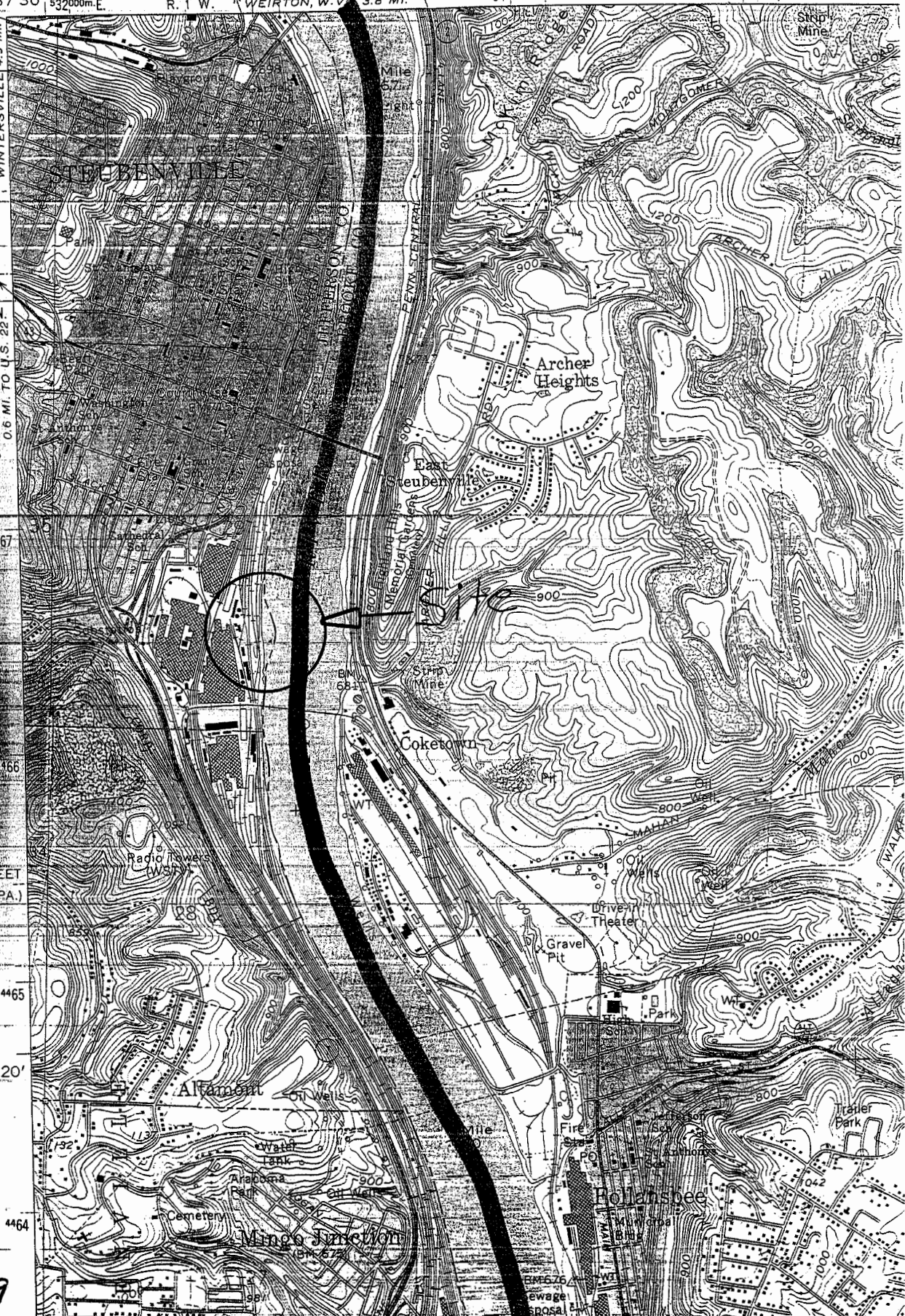
40° 22' 30" CADIZ 26 MI. WINTERSVILLE 4.9 MI.

4468000m.N. CARROLLTON 27 MI. TO U.S. 22 0.6 MI.

380 000 FEET (P.A.)

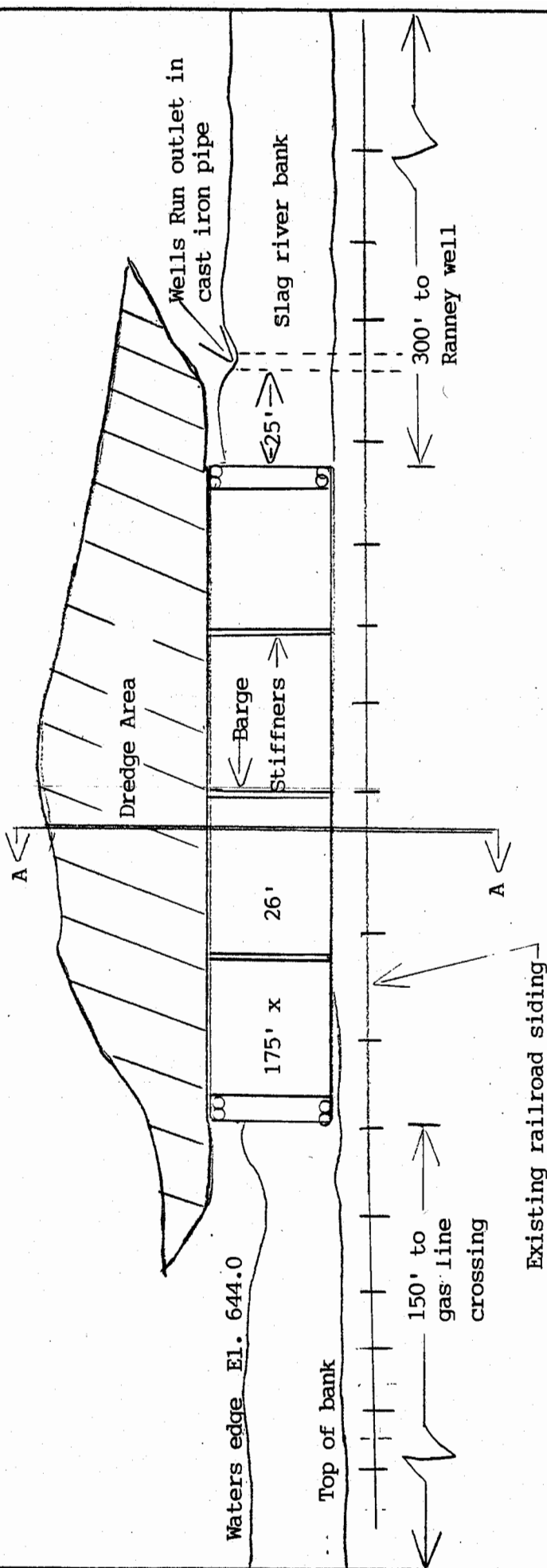
Steubenville Quad 20'

#200400489





Ohio River



Proposed multi-
purpose dock
Mile 68.5, Right bank
Ohio river
Steubenville
Jefferson Cty, Ohio

Dwg. S1

#200400489

Scale 1" = 40'

Railroad Siding

El. 654.0

OHW 651.5

Normal Pool El. 644.0

El. 634.0

Dredge Area

Section A

Proposed Multi-
Purpose Dock
Mile 68.5,
Right Bank
Ohio River
Steubenville
Jefferson Cty, Ohio

dwg. S2

1" = 10'

#200400489